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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/277,286	03/26/1999	CARL STRATHMEYER	024/1	3294

7590 03/27/2002  
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EXAMINER

AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 03/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/277,286

Applicant(s)

STRATHMEYER ET AL.

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1 and 3 – 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Rogers et al.

Regarding claims 1, 4, and 6 - 8, Rogers et al. teaches a call management system having a call management computer 101 able to communicate with a plurality of telephony and data environments, wherein the environments include different PBX's, cable, RF or satellite communications, or "any other types of voice or data," having therein a "translation layer," wherein "translation layer" is read to be analogous to the plurality of data and telephony interfaces (Fig. 2, 203 – 206) taken as a whole, for translating to and from proprietary and non-standard protocols and a standard protocol

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upon which the invention of Rogers et al. operates on. Furthermore, Rogers et al. teaches either a computer workstation connected via a LAN/WAN/data/telephony network or by some remote connection in connection with the call management computer for providing access to and control over applications able to communicate via the various telephony and data environments, wherein the application can automatically detect the type of incoming communication or can effect communications via a certain telephony or data environment. Furthermore, the workstation mentioned along with the caller notification/caller ID and various databases taught by Rogers et al. allow a user to receive caller information, records, or any other pertinent information. (Figs. 1, 26a – 9ab, Col. 2, line 4 – Col. 3, line 8, Col. 6, line 44 – Col. 18, line 2, Col. 22, lines 6 – 26)

As to claim 3, Rogers et al. teaches a GUI interface to allow a user to select and configure, via set-up menus, the selection of telephony environments. (Figs. 6a – 9ab)

As to claim 5, Rogers et al. teaches "screen pop" notifications, for example, when notifying a user of an incoming call. (See above references and also Col. 23, line 12 – Col. 28, line 67)

As to claims 9 and 10, Rogers et al. also teaches various databases such as the call management database 215, used for various applications such as phone directories, message storage and reply, etc. and also teaches routing various calls according to type or time, etc. (See above references and also Col. 22, lines 7 – 26 and Col. 29, line 57 – Col. 30, line 46)

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### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1 and 3 - 10 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat 5,742,905 (Pepe et al.) teaches personal communications internetworking wherein all of the claimed features of the present invention are taught as they apply to call messaging. US Pat 6,246,678 (Erb et al.) teaches data access server for PBXs wherein translation layers are taught for interfacing various types of telephony switches as well as applications for effecting communications via the telephony switches.

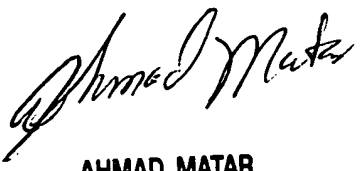
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 703-305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

H.A.A.  
March 14, 2002



AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600